

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Charlottesville Division**

**JANE DOE,**

**Plaintiff,**

**v.**

**THE UNIVERSITY OF VIRGINIA, et  
al.,**

**Defendants.**

**Case No. 3:23-cv-00018-RSB**

**JOINT MOTION FOR CONTINUANCE OF RULE 16 CONFERENCE**

Plaintiff Jane Doe and Defendants the Rector and Visitors of the University of Virginia, Emily Babb, and Akia Haynes (“Defendants”), through counsel, hereby file this Joint Motion for Continuance of the Rule 16 Conference set for July 31, 2023, and state as follows in support:

1. On July 5, 2023, Defendants filed a motion to dismiss Plaintiff’s complaint for failure to state a claim and a memorandum in support thereof (ECF Nos. 10, 11).
2. On July 12, 2023, the Court scheduled a Rule 16 conference for July 31, 2023, at 9:00 a.m., at which time the parties are expected to discuss the details of the case, including the claims, damages, discovery sought, potential for early case resolution, and all other categories set forth in Rule 16(c)(2).
3. On July 19, 2023, Plaintiff filed a notice (ECF No. 14) that she intends to file an amended complaint pursuant to Rule 15(a)(1)(B) by July 26, 2023.
4. Defendants will likely file a motion to dismiss the amended complaint within 14 days of its filing, after which time Plaintiff will be able to file a responsive brief within 14 days to be followed by Defendants’ rebuttal brief within 7 days.

5. The parties have not yet held their Rule 26(f) conference and believe they would be in a better position to do so after the amended complaint and the subsequent motions practice occurs.

6. The parties have conferred and believe that judicial economy would be best served by the Court granting a continuance of the July 31, 2023 Rule 16 conference until after the amended complaint is filed and the subsequent briefing of the expected motion to dismiss occurs, which should be completed by August 31, 2023. The parties will then be in a better position to discuss, among other things, the claims, damages, and discovery sought.

7. The parties jointly request that the telephone conference currently set for July 31, 2023, be removed from the Court's calendar and that the parties be permitted to reschedule the conference for a date after August 31, 2023, including after the anticipated motion to dismiss is resolved.

Date: July 21, 2023

Agreed to and submitted by:

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Haynes*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 21st day of July, 2023, the foregoing was filed with the Clerk of Court using the CM/ECF system.

By: /s/ Christopher P. Bernhardt  
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